

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND
2019 MAR 22 AM 11:20

Emilio LANZA

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

STATE OF MARYLAND

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. 19 CV 861 GLR
(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>Emilio LANZA</u>
Street Address	<u>251 EAST 3RD ST APT 1F</u>
City and County	<u>MANHATTAN NY</u>
State and Zip Code	<u>NY 10009</u>
Telephone Number	<u>(805) 575-6045</u>
E-mail Address	<u>emiliolanza4@gmail.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>STATE of MARYLAND</u>
Job or Title (if known)	<u>EASTSIDE DISTRICT COURT</u>
Street Address	<u>400 E. NORTH AVE</u>
City and County	<u>BAITIMORE</u>
State and Zip Code	<u>MARYLAND 21213</u>
Telephone Number	<u></u>
E-mail Address (if known)	<u></u>

Defendant No. 2

Name

Miss Sarah Simpkins

Job or Title

STATE Attorney

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 3

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

Defendant No. 4

Name

Job or Title

(if known)

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(if known)

(If there are more than four defendants, attach an additional page providing the same information for each additional defendant.)

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

The Amendment 6 guarantees a cluster of rights designed to make criminal/prosecutions more accurate fair, and legitimate, do it process

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) Emilio LANZA, is a citizen of the State of (name) NY.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) _____, is a citizen of the State of (name) _____. Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) STATE OF MARYLAND, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____. Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

is \$10,746.14 not counting interest
and court costs neither other missings
work day because that is to the judge to decide
when the case get into motion

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

on june 10 2018 morning I came to Baltimore City because I had constructions jobs to get done within the city and to stay temporarily in one of my friend's house which is 3419 Noble St Baltimore MD 21224 but at the afternoon of such day I went to walk on Baltimore City Bay Area which is a nice place to be, but when I was on Baltimore downtown it began to rain so I decided to go back to my friend's home through Baltimore Ave. but when I was walking about a block passing the park about 3 block and half of Noble street and Highland Ave, on Baltimore Ave. east side a man came out a house door and said to me what do you doing here motherfucker get the hell out from here but at the same time that man assault me damaging my left eye with a steel knuckles. And am suing the state of Maryland for this injuries and time lost on it for cause of the inefficient work that it prosecutors are performing in the state of Maryland imply, and without do it process of law, ignoring that all cases should be see by a judge. Thanks

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages. For any request for injunctive relief, explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

TWO COURT DAYS THAT I LOST TO WORTH \$700.00
ONE ON 8-1-2018 ON CASE NO B02377501 AND THE
SECOND DAY WAS ON 9-2018, AND THE DOCTOR OF
JOHNS HOPKINS HOSPITAL ORDERED MORE
EYE CHECKS APPOINTMENT BUT I DID NOT ASSISTED
BECAUSE IT NEED TO BE PAY AND FOR A EYE SURGERY

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.


A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 3-22, 2019.

Signature of Plaintiff

Printed Name of Plaintiff


EMILIO LANZA

(If more than one plaintiff is named in the complaint, attach an additional certification and signature page for each additional plaintiff.)

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

Email Address

This is a Law suit begin for \$10,746.14 USAD,

Hello My Name is Emilio Lanza, This is a Case that happened on thursday 9-20-18, Case #OB02377501, Such Case began on June 10-20-18, on the Morning of that day i Came from Manhattan New york to visit one of my friend and because i have a construction Jobs that it need it to get done in Baltimore MD, but on the afternoon of such day i went to walk on Baltimore bay which is a nice area to be, but when i was on downtown it began to rain so i decided to come back to my friend home through Baltimore Ave, but when i was about four blocks away to arrive at my friend home, it was so dark and raining evening when i saw a door opening at my left side, then at the same time a man came out from a door in a faster way saying what do you doing here Motherfucker get the hell out from here but at the same time that man began to swing at me with his knuckle then seeing that i began to block his knuckles to avoid being injury but when this man find out that it was impossible to hit me he put his hand into his packets and pull a steel knuckles and swunged at me at the same time hitting my hand finger and my face develope injuries on my face given that i began to bleed a lot of blood, at the same time i saw a white man on the sidewalk with dogs, this white man seeing this black man hiting me he tried to intervine in a way to stop hiting me doing that the black man tried to go against the white man doing that the white man run to the right side of the Ave to his home but at the same time the black man who hit me he began to asking me for maney saying, do you have money, i said not i do not have any money, hearing that he said, yes you do have money i repeat saying i do not have any money at all, but at the same time the white man cameback out his home running toward the left side where i was it, seeing that the black man began to runn in a hight speed untill disappear on the dark night, doing that, the white man can to me saying why this man was just hiting you for not reason, i said this guy it's just a troublemaker, but at the same time i still bleeding, given that the white man said, you just have a few scratches but becace perhaps at the rain you are bleeding, do you want a bottle of water, i say yes of course, given that the white man took me to inside his home and gave me a bottle of water then i say thanks and at the same time i woke out to the street and the white man came out behind me seeing that i saw the police car parking about half block away from the seeing, given that the white man came to me saying just go to talk to the police, given that the white man and i walk to the police car, when we got to the police, the white man said to the police, this man just walking on the street and a black guy just assault him for not reason then the police officer hearing that he came out his police car and askme saying do you want to go to the doctor you just have 2 scrach on your eye given that thinking about that go to the hospital through an anbulance it cost to much money and given at what the officer said that i just had 2 scratch i thought to get home and drive to the hospital to be checked and make sure that i was fine or not because the last time that i got hit by a car wash machine it cost me about \$45 thousand dollars, thinking about that i said to the police okay if is just 2 scratches i going home but still the point is that we has to stop this man by hitting people given that, that the police officer said okay so give me your phone number and you will have a call to go to identify the suspect, i said okay then the police officer asked to the white man for his -



phone number too and after i gave it my phone number i said thankyou and i left the seeing but as soon i got to my friend home i prepare to go to the hospital then when i left home to the hospitald at soon i got into Johns Hopkings Hospital emergency room i got register then few minutes later i got take care by the hospital personnel, they took me all night cheking my eyes all night and releassed me next day about 10 AM with the advise from the doctor to not lift more than 15 pound and do not sneezing, neither work for about a month,given that i got back home, but about a month later i had a letter from district Court house locate it at 5800 Wabash Ave,Baltimore MD, seeing that on the mail it was a Court appearing, given that i went to the district Court house on the appearing date and time on court room 5, at soon i got into the Court room, it was 1:30 afternoon and the prosecutor say, okay all witnesses and victims stand on the line, hearing that when i got to the prosecutor, the prosecutor said to me, are you the victim, i said yeah, prosecutor said okay this case it went to downtown court to be prosecute there so do that is your address to contact you, i said yeah, prosecutor said and give me your phone number.on that way probable they will contact you, i said okay so i gave it my phone number after that the prosecutor said, you are free to go, i said thank you, with that on mind i woke out the Court and i whent home, given that on August 8-20 18, after work about 6 PM, i was looking at my voice mail and i saw a trancription from the assistant State Attorney Miss Sarah Simpkins,saying cover the Baltimore City Stive___I'M calling you in reference to a case in which you are a victim um the defendant is Quincy Harris um it appears that he assaulted you on June 10 um this case does come in tomorrow morning at 8:30 AM, at the North Ave District Court house Court room one if you can please give me a call back to confirm you're going to be there you can reach me at 410-878-8479 again that's 410-878-8479 thank you and look forward to hearing from you bye-bye.....reading that but knowing that was too late to call her back i called anyway and i left it a message on her voice mail, next morning which was on 9-2018, i canceled the day of work and i google the court house knowing that this Court is rare because i has to be in court without an statement to appear in court which it is not as a normal Court does it, but with that in maind i went to North Ave District Court House at 8:30 AM, as the State Attorney State, given that when i was in the Court room #1, a court gard said, okay averyone make it line right, the State Attorney State, not you can sit it i will call, given that we all sat in the Court benches after a few minutes the State Attorney said, okay come on the line, to check in, given the two cases that was after me one got dismissed without the plantif being precent in court, and the other case was a case about home invation but the State attorney State that if not body see this person cameout the house with merchandise there is not way to prove even if the defendants say that such merchandise was took from such home, and when i got before the State attorney,



said next i said i went to another court and it was said that this case will be seeing in downtown to be prosecuted for such reason i can to this court handle it to her my hospital recors to prove about and i said i have a picture in my phone the State Attorney said can i keep this recors with me i said yes this are hospital copies to prove, the State attorney said well can you mail me that photo in this morning this is my email address and i will call you after i findout what we can do with this case i said okay but in my mind the attorney automatically send me home on the way she said to me so i sat down on the bench traying to email to her the picture through my phone but i could it doit so i woke out the Court and i went home and i trayed to sent the picture through my laptop computer but i could it achieve it, thinking in such case i saw another voice mail from the State Attorney saying,Hi Mr.Wanda it's, Sarah Simpkins I'm Caling you about the cage and since you're going to hear if you check in with me this morning um and now you are missing you please give me a call back or show back up in court in North Avenue I'd appreciate if you can reach me at area code 434-806-2079 thankyou bye-bye, seeing that immediately i call her about 12 to 15 minutes after her call, but notone answered not even in her office, so given that i went back to court but the courtroom was lock, given that two guy that was sittted ouside the courtroom #1 said to me the door is lock sir, i said and when can be open again one of the two guys said at 1:30 pm. I said okay thatks and i sat down on one of the benches then after i sat down in the courhouse i called her and at that time the State Attorney does answered i said hello am Emilio, the State attorney said hi i saw you in this morning and you are missing, i said am here in the Court house but the door is lock, and i left because you told me that you will call me after you find out what you goint to do whith the case, given that the State attorney said, well the case is dismissed because the judge did not let me continue without you been present in court there is not more case, i said, but you gave me an order to leave on the way that you spoke to me so now the case will go against you,the State Attorney Laughing saying well maybe it is the language, i said the language do not have nothing to do with is it is on the way the you communicate because you has to explane onehundred per cent clear it is a Court, the Attorney said well i been doing like this for a while, i said that is not matter, i do not even have a notice to appear in this Court the notice that i have for appear it is from another court now the case it is againt you and i will follow a law suit against you, then the State Attorney State, well the Case can be against the State of Maryland i said whatever, then the State Attorney State okay you can suit if you want i said thank you, then i hung up the phone, thinking about all this happening on the way that this State Attorney's hadle this cases in as they don't care about it, knowing that they just can dismiss any case that get to they hand without a judge to make it a decition this is a clear violation of the Constitution amendment 6, for such reason the same Law System keep the City of Baltimore as crap with so many crimes, drugs and prostitution in allmost all Baltimore Streets, murders, rapers, assaulter, bandalising arround the whole city not



one is working efficient putting Baltimore MD as the second City high in crime after Chicago Illinois, and third is New orlean, it is a shame but i truly believe that all detectives know who is carried guns weather legal or illegal and who it is not, they know who sell drugs and who it is not, 90 percent or more of Baltimore Citizen do not want to see their City failing apart, perhaps it is because the mayor of Baltimore MD is Black, because when MR. David dinking was New York Mayor it was about the same a lot of drugs and prostitution on the Streets high in crime, the same police use to abuse a lot of people and murder many people too, etc, but when Mr, Juliany took over all the dark part of New York dissappeared automaticly, and i seein this City of Baltimore as a third world Country, to many crimes the City are surrounding with too many garbage all over the City Streets drugs dealers selling drugs all over the City i Just saw secretary Mr.Ben Carson spoken about that he is pushing to improve all US Cities but when i come to see all this mess it seems as he do not doing nothing perhaps because the cities inspectors do not listen, or notone listsen here in this Cities, as i said this case it got dismissed becuse the Law System in Baltimore are not working not even 40 percent, so it need to improve at all levels, to became a safe City, given at the inefficient actions of the State Attorney in my Case has left me with about \$2,746.14,USD plus in debt, and one month off from work authorized by the Hospital doctors, which it is about \$350,Dollars at day which is about \$1,750 at week, about \$8,000 at month plus \$2,746.14 in hospitals bills total \$10,746.14, if i ask to all Maryland Citizens do this is fair for anyone, i think that everyone must follow all the law procedures when it come to a case most those for which are working on it as police officer,s courts personal and lawyers, Cities and State inspectors as well,mayors and State Governors as first to improve as a whole, but according what i seeing in the State of Maryland improve is not the case, and according to what i see the State of Maryland Maybe is Requiere to pay under the MTCA, the State can not be held liable to Anyone person for more than \$400,000 for injuries Arising for a single incident see Maryland code State government section 12-104 and code of Maryland regulations (COMAR) 25.02.01 through 25.02.07, imagin if there is a millions law suits but in my case it is just not more than 11,000, USA Dollars but injuries should be paid becuse we do not have this bad guys in the streets it is the State and Cities Law System leaders that are not working efficient so we this lawsuit we trying to make it work efficient perhaps they can listen to their supiriors and begin to improve, thank you,.

